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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

CHARON L. BROWN,

Plaintiff,

vs.

OFFICER MECHAM, et al.,

Defendants.

CASE NO.: 2:15-CV-01670-APG-NJK

**STIPULATION TO SUSPEND DISCOVERY AND  
DISCOVERY/MOTION DEADLINES FOR  
THREE WEEKS (FIRST REQUEST)**

The following deadlines are set to expire imminently: (1) discovery cutoff: April 12, 2017; (2) discovery motions: April 26, 2017; and (3) dispositive motions: May 17, 2017. Court-appointed pro bono counsel for Plaintiff Charon Brown and newly appearing counsel for Defendants Mecham, Kegley, and Sands have conferred and stipulate to suspend these deadlines as follows:

1. Malani Dale Kotchka-Alanes was appointed as counsel for Plaintiff Charon Brown on March 28, 2017.
2. During the week of April 3, 2017, the defense of Defendants Mecham, Kegley, and Sands was transferred from Robert Rabbat of Enenstein Ribakoff LaViña & Pham to Lyssa Anderson of Kaempfer Crowell.
3. From April 5-7, 2017, Enenstein Ribakoff LaViña & Pham provided copies of the previous discovery served to date, both to Malani Dale Kotchka-Alanes, pro bono counsel for Plaintiff, and to Lyssa Anderson, new counsel for Defendants. This discovery consists of

written requests and answers, over a thousand pages of documents bates numbered LVMPD000001-1087 (including several audio recordings), and the deposition transcript of Plaintiff Charon Brown.

4. The current deadlines in place are: (1) discovery cutoff: April 12, 2017; (2) discovery motions: April 26, 2017; and (3) dispositive motions: May 17, 2017.
5. Plaintiff's counsel is convinced that more time is needed for additional discovery.<sup>1</sup> New defense counsel believes that a meet and confer to discuss the issues related to past discovery and the issues raised in this Court's Order at ECF No. 83 may resolve the issues identified by the Court and/or identify additional limited necessary discovery related thereto. Both defense counsel and Plaintiff's counsel need additional time to review the discovery already exchanged to date, engage in a meaningful meet and confer, and decide what further discovery is needed and/or should be provided.
6. The parties therefore agree that the current discovery and motion deadlines should be suspended and that the parties shall have until May 3, 2017 to file either a stipulation as to the remaining discovery and motion deadlines or a motion to extend those deadlines.
7. The parties agree that any stipulation or motion to extend the discovery and motion deadlines filed on or before May 3, 2017 will be treated as having been filed more than 21 days before the expiration of the discovery period.

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<sup>1</sup> At a minimum, and just as a sampling (rather than an exhaustive list), Plaintiff anticipates the need for (1) the depositions of Officer Mecham, Sergeant Judd, and relevant supervisors, including those who reviewed the video footage before it was destroyed; (2) written discovery and depositions concerning Las Vegas Metropolitan Police Department's ("LVMPD's") retention policies (both as to video footage and as to contact reports between officers and their supervisors); (3) LVMPD's use of force policies; (4) LVMPD's policies and procedures concerning disciplining corrections officers; (5) Naphcare, Inc.'s policies and procedures; (6) discovery into who makes the ultimate determination whether an inmate will receive medical care or testing once it has been recommended by a medical professional; and (7) the depositions of the medical professionals who recommended additional treatment and/or testing for Plaintiff that he never received.

8. This stipulation is made in good faith and in an effort to work amicably toward a resolution of the outstanding discovery issues in this case.

Dated this 10th day of April, 2017.

**LEWIS ROCA ROTHGERBER CHRISTIE LLP**

By: /s/ Malani Dale Kotchka-Alanes

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**IT IS SO ORDERED:**

  
UNITED STATES MAGISTRATE JUDGE

Dated: April 11, 2017